



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,877	02/12/2004	John M. Martin	064198.0191	6433

31625 7590 03/14/2005

BAKER BOTTS L.L.P.  
PATENT DEPARTMENT  
98 SAN JACINTO BLVD., SUITE 1500  
AUSTIN, TX 78701-4039

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/777,877

Applicant(s)

MARTIN ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/12/2004</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Priority*

1. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on February 12, 2004 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### *Claim(s) Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claim(s) 1-20** are rejected under 35 U.S.C. 102(b) as being anticipated by Lennig et al. (US 5,479,488).

Regarding **claim(s) 1**, Lennig discloses a method for providing automated directory assistance (column 1, lines 9-11), comprising:

initiating a multi-stage directory assistance dialog with a user (FIG. 2 and column 6, lines 34-50) [The voice processing unit 14A initiates the directory assistance dialog with the caller by issuing a prompt to the caller];

Art Unit: 2645

prompting the user for a directory assistance utterance in accordance with a current stage of the multi-stage dialog (FIG. 2 and column 6, lines 34-50) [The voice processing unit 14A prompts the caller to state the name of the locality to recognize the name from its locality lexicon using speech recognition];

recording a user utterance in response to the prompt (FIG. 3A, 3B and column 7, lines 1-16) [The voice processing unit 14A records the response of the caller];

gathering one or more directory assistance search parameters from the user utterance (FIG. 3A, 3B and column 7, lines 1-24) [The voice processing unit 14A attempts to interpret the information supplied by the caller at the prompt by collecting multiple parameters of the directory assistance];

determining whether a user directory assistance query may be completed based on gathered directory assistance search parameters (FIG. 3A, 3B and column 7, lines 17-24) [The voice processing unit 14A attempts to interpret the information supplied by the caller prompting for more information from the caller to determine the request of caller];

repeating the prompting operation until either the user directory assistance query may be completed or a determination that a user utterance satisfies an error condition (FIG. 3A, 3B and column 7, lines 25-28) [The voice processing unit 14A prompts the caller for clarification and after a predetermined number of attempts concludes the clarification has failed]; and

displaying gathered directory assistance search parameters on an operator terminal and forwarding one or more recorded user utterances to an operator for

Art Unit: 2645

playback in response to a failure to obtain the directory assistance search parameters needed to complete the user directory assistance query (FIG. 3A, 3B and column 7, lines 29-46) [The voice processing unit 14A displays on the operator screen whatever data the automatic system has managed to determine from the caller and the recording of the caller's responses is replayed].

Regarding **claim(s) 2, 9-10 and 16**, Lennig discloses playing for an operator a user utterance satisfying the error condition (column 7, lines 29-34); and

playing for the operator a preceding utterance, the user utterance being received prior to the error utterance (column 7, lines 29-34).

Regarding **claim(s) 3**, Lennig discloses determining when a user utterance satisfies an error condition based on whether the user utterance is discernable utilizing speech recognition (column 7, lines 25-28).

Regarding **claim(s) 4**, Lennig discloses classifying received user utterances according to a confidence level including high confidence and one or more lesser confidences (column 7, lines 48-54).

Regarding **claim(s) 5, 11 and 17**, Lennig discloses populating the operator terminal with the directory assistance parameters gathered from the user utterances and classified with a high confidence level (column 7, lines 29-34).

Regarding **claim(s) 6**, Lennig discloses highlighting one or more fields of the operator terminal populated with information provided by the caller in the utterances (column 7, lines 29-34).

Regarding **claim(s) 7**, Lennig discloses combining two user utterances into one utterance for playback to the operator (column 7, lines 29-34).

Regarding **claim(s) 8**, Lennig discloses a software for providing directory assistance (column 1, lines 9-11), the software embodied in computer readable media (column 5, lines 53-61) and when executed operable to:

extract for use in a computer-assisted database search one or more directory assistance search parameters from a plurality of user utterances (FIG. 2 and column 6, lines 34-50) [The voice processing unit 14A prompts the caller to state the name of the locality to recognize the name from its locality lexicon using speech recognition]; and

forward for review by an operator the extracted directory assistance search parameters and one or more recorded user utterances in response to a failure to resolve a user directory assistance query (FIG. 3A, 3B and column 7, lines 29-46) [The voice processing unit 14A displays on the operator screen whatever data the automatic system has managed to determine from the caller and the recording of the caller's responses is replayed].

Regarding **claim(s) 12**, Lennig discloses highlight one or more fields in the operator computer screen requiring additional information from the user (column 7, lines 35-46).

Regarding **claim(s) 13 and 20**, Lennig discloses ascertain whether results from a completed directory assistance query would be more efficiently communicated to the user via the operator or via an automated service (column 7, lines 35-46).

Regarding **claim(s) 14 and 18-19**, Lennig discloses redirect the user to an operator for communication of the directory assistance query results when the results exceed a predefined query results maximum (column 7, lines 25-28).

Regarding **claim(s) 15**, Lennig discloses all the limitations of claim(s) 1 and 8 above and furthermore Lennig discloses an input/output port operable to communicate with a communication network (33 and 30 of FIG. 2);

a processor operably coupled to the input/output port (14A on FIG. 2); and

a memory operably coupled to the processor (1 on FIG. 2).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.


Art Unit: 2645

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER  
PATENT EXAMINER

g.g.  
March 2, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600